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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR-12-00241 SBA
)	
Plaintiff,)	STIPULATION AND TO SET CHANGE
)	OF PLEA AND SENTENCING ON JULY
v.)	17, 2012 AND TO EXCLUDE TIME
)	UNDER THE SPEEDY TRIAL ACT
CHRISTOPHER MCMILLON,)	
)	
Defendant.)	Date: May 1, 2012
)	Time: 10:00 a.m.
)	Court: Hon. Sandra Brown
)	Armstrong
)	
)	

The above-captioned matter is set on May 1, 2012 before this Court for a status hearing. The parties request that this Court vacate that date and set this matter for change of plea and sentencing on July 17, 2012 at 10:00 a.m., and that the Court exclude time under the Speedy Trial Act between the date of this stipulation and July 17, 2012.

The parties have reached an agreement pursuant to Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure and will submit the proposed plea agreement to the Court at the same time as this stipulation. To allow time for the Court to consider the proposed plea agreement and for the preparation of a Presentence Investigation Report by the United States Probation Office, the parties request that this matter be set on July 17, 2012 at 10:00 a.m. for change of plea and STIP. REQ. TO SET CHANGE OF PLEA & SENTENCING ON JULY 17, 2012 & TO EXCLUDE TIME No. CR-12-00241 SBA

1 sentencing (assuming the proposed plea agreement is acceptable to the Court). Defendant agrees
2 that the Court may review the pre-plea Presentence Investigation Report even though he has not
3 yet pleaded guilty. Since the proposed plea agreement has been submitted to the Court, the
4 parties further stipulate and agree that the time between April 26, 2012 and July 17, 2012 should
5 be excluded under the Speedy Trial Act, and specifically pursuant to 18 U.S.C. § 3161(h)(1)(G),
6 for consideration by the Court of a proposed plea agreement to be entered into by the defendant
7 and the attorney for the government.

8
9 DATED: April 26, 2012
10

11 _____/s/
12 NATALIE LEE
13 Assistant United States Attorney
Counsel for United States

_____/s/
SARA RIEF
Counsel for Defendant

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17 ORDER

18 The parties jointly requested that the May 1, 2012 status hearing be vacated and that this
19 matter be set for change of plea and sentencing on July 17, 2012 at 10:00 a.m. The parties
20 further requested that time be excluded under the Speedy Trial Act between April 26, 2012 and
21 July 17, 2012 to allow time for the Court to consider the proposed plea agreement to be entered
22 into by the defendant and the attorney for the government, and to allow time for the preparation
23 of a Presentence Investigation Report by the United States Probation Office. Defendant agreed
24 that the Court may review the pre-plea Presentence Investigation Report even though he has not
25 yet pleaded guilty. Good cause appearing therefor, and pursuant to 18 U.S.C. § 3161(h)(1)(G),

26 **IT IS HEREBY ORDERED** that this matter is set for change of plea and sentencing on
27 July 17, 2012 at 10:00 a.m., and that time between April 26, 2012 and July 17, 2012 is excluded
28 under the Speedy Trial Act, and specifically pursuant to 18 U.S.C. § 3161(h)(1)(G), for

1 consideration by the Court of a proposed plea agreement to be entered into by the defendant and
2 the attorney for the government.

3 **IT IS FURTHER ORDERED** that the United States Probation Office shall prepare a
4 Presentence Investigation Report.

5
6 DATED: __4/27/12


HON. SAUNDRA BROWN ARMSTRONG
United States District Judge